IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1926 OF 2007

1. Sou.Usha Tanaji Bhuse
2. Sanjay Dagadu Yadav ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.V.V.Purwant Advocate for Applicants
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 18, 2007

P.C.

1. Heard the learned advocate for the applicants

and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.119 of 2007 of Pandharpur Taluka Police Station. The said case is under Sections 363 and 366 of IPC.

3. The present applicant no.1 is the real sister of one Bhausaheb and applicant no.2 is the husband of another sister of Bhausaheb. Ujwala who is the daughter of the complainant, had love affair with Bhausaheb for more than one year prior to the

incident. On account of the said love affair, she eloped with Bhausaheb out of her own free will thereafter Ujwala and Bhausaheb got married in a temple. There was no force or compulsion to Ujwala. At that time, Ujwala was over 16 years of age. However, she was below 18 years of age. It is the case of the complainant that the present applicants seduced and took away his daughter with intention that Bhausaheb would marry her. I have perused the statement of Ujwala. No role is attributed by Ujwala to any of the applicants. Ujwala has clearly stated that she had love affair with Bhausaheb. On the day of the incident, Bhausaheb asked her to run away with him. Whereupon, she voluntarily agreed to do so. Thereafter, both of them went to a temple and got married. Looking to the fact that Ujwala has voluntarily and willingly left her house even though she was below the age of 18 years, it is apparent that she knew the nature and consequences of her act. No fault can be found with the present applicants. No role is attributed to them by Ujwala. Hence, I am inclined to grant anticipatory bail to the applicants.

4. In the event of arrest, each of the applicants

nos.1 and 2 to be released on bail in the sum of Rs.10,000/- (Rs.ten thousand only) each with one or two sureties to make up the said amount in C.R.No.119 of 2007 of Pandharpur Taluka Police Station. The applicants shall report to the concerned Police Station as and when required till the conclusion of trial.

5. Application is disposed of.

[Smt. V.K.Tahilramani, J.]